

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services – Panchayat Raj and Rural Development Department – Allegation of corruption, demand and acceptance of bribe against Sri Y. Gandhi, Senior Assistant, (Retired) o/o District Panchayat Officer, Khammam District – Trapped on 30-4-2003 – Prosecution in a court of law – Convicted – Withholding of Pension and Gratuity in full and permanently – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III-A) DEPARTMENT

G.O.Ms.No. 256

Dated:18-8-2009.

Read the following:-

1. From the Director General, A.C.B., Hyderabad  
Lr.Rc.No.108/RCT-WKH/2003-S5, Dated:3-5-2003.
2. From the District Collector(PW), Khammam  
Proceedings Rc.No.P5/729/2003, Dt.1-5-2003.
3. From the Director General, A.C.B., Hyderabad  
Lr.Rc.No.108/RCT-WKH/2003-S5, Dated:14-10-2003.
4. G.O.Ms.No.205, P.R. & R.D.(Vig.III-A) Department,Dt.6-8-2004.
5. Judgement dt. 23-1-2009 in C.C.No.48/2004 of Prl. Spl. Judge  
for SPE & ACB Cases, Hyderabad.
6. Orders of Hon'ble High Court of A.P. dt.10-2-2009  
in Crl. A.M..P.No.172/2009 in Crl. Appeal No.142/2009.
7. Govt.Memo.No.8217/Vig.III-A/2003-11, PR&RD (Vig.III-A)  
Dept., Dated:6-4-2009.
8. Representation of Sri Y. Gandhi, Senior Assistant (Retired),  
o/o D.P.O., Khammam District Dated:27-4-2009.

ORDER:

In the reference 1<sup>st</sup> read above, it has been brought to the notice of the Government that Sri Y. Gandhi, while working as Senior Assistant, o/o District Panchayat Officer, Khammam District was trapped by the officials of A.C.B. on 30-4-2003, when he demanded and accepted an amount of Rs.800/- from Sri Md. Ghouse Pasha, Attender for doing official favour to him in processing leave salary proposals.

2. The District Collector(PW), Khammam District placed the Accused Officer Sri Y. Gandhi under suspension vide reference 2<sup>nd</sup> read above,

3. In the reference 3<sup>rd</sup> read above, the Director General, Anti Corruption Bureau, Hyderabad in his final report has recommended to prosecute the Accused Officer in Court of law for the offences committed under sections 7 and 13(2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

P.T.O.

4. In the reference 4<sup>th</sup> read above, Government after careful examination of the matter, have accorded sanction for prosecution of the Accused Officer Sri Y. Gandhi, o/o District Panchayat Officer, Khammam District in a Court of Law for the offences punishable under Prevention of Corruption Act, 1988. He was reinstated into service vide G.O.Rt.No.1050, P.R. & R.D. (Vig.III-A) Dept., Dt.27-7-2006,

5. In the reference 5<sup>th</sup> read above, the Hon'ble Principal Special Judge for SPE and ACB Cases, Hyderabad convicted Sri Y. Gandhi, Sr. Assistant o/o D.P.O., Khammam District and sentenced him to undergo rigorous imprisonment for six months and to pay a fine of Rs.400/- and in default, to suffer one month rigorous imprisonment, for the offence under Section 7 of P.C. Act, 1988. The Hon'ble Court further sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.400/- and in default, to suffer one month rigorous imprisonment for the offence under Section 13(2) read with 13(1)(d) of P.C. Act, 1988. Both the sentences were ordered to run concurrently.

6. In the reference 6<sup>th</sup> read above, the Hon'ble High Court of A.P. has ordered in Crl. A.M.P.No.172/2009 in Crl. Appeal No.142/2009 that the sentence of imprisonment imposed on the petitioner-appellant alone is suspended and the petitioner shall be released on bail on the same terms as imposed by the trial Court.

7. Government have examined the case of Sri Y. Gandhi, Senior Assistant, o/o District Panchayat Officer, Khammam District (now retired) and it has been provisionally decided to withhold Pension and Gratuity in full and permanently on the ground of conduct which led to his conviction on a Criminal charge. In the reference 7<sup>th</sup> read above, the Accused Officer was directed to showcause as to why his pension in full and entire gratuity should not be withheld permanently, consequent on his conviction in Judicial Proceedings under Rule 9 of A.P. Revised Pension Rules, 1980 as he retired from service on 31-5-2008 on attaining the age of superannuation.

8. In the reference 8<sup>th</sup> read above, in reply to the showcause notice Sri Y. Gandhi, has not mentioned any new grounds and requested to sanction provisional pension w.e.f. 1-6-2008.

9. Government after careful examination of the matter and considered to impose the penalty of withholding Pension and Gratuity in full and permanently on the ground of conduct which led to conviction in C.C. No.48/2004 against Sri Y. Gandhi, former Senior Assistant, o/o District Panchayat Officer, Khammam District, now retired.

Contd.....3.

10. Accordingly, Government hereby impose the penalty of withholding Pension and Gratuity in full and permanently against Sri Y. Gandhi, former Senior Assistant o/o District Panchayat Officer, Khammam District, now retired under Rule 9 of A.P. Revised Pension Rules, 1980.

11. The Commissioner, Panchayat Raj and Rural Employment, Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY,  
PRL. SECRETARY TO GOVERNMENT.

To

Sri Y. Gandhi, former Senior Assistant

o/o D.P.O., Khammam Dist. (now retired)

through the Commissioner, PR & RE, Hyderabad.

The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad.

The District Collector, Khammam District.

The District Panchayat Officer, Khammam District.

The Accountant General, A.P., Hyderabad.

The District Treasury Officer, Khammam District.

SF/SC

//FORWARDED :: BY ORDER //

SECTION OFFICER.